

of the State of Washington

DIGEST SUPPLEMENT

To Legislative Digest and History of Bills **Supplement No. 28***

FIFTY-NINTH LEGISLATURE

Thursday, February 17, 2005

39th Day - 2005 Regular

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House Bills

HB 1046-S by House (originally sponsored by Representative Sommers; by request of Office of Financial Management)

Limiting the use of the public safety and education account. Revised for 1st Substitute: Eliminating the public safety and education account.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Eliminates the Public Safety and Education Account (PSEA).

Redirects revenue deposited in the PSEA to the state general fund.

-- 2005 REGULAR SESSION --

Feb 14 APP - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

HB 1062-S by House (originally sponsored by Representatives Morris, Hudgins and Chase; by request of Governor Locke)

Regulating the energy efficiency of certain products.

(AS OF HOUSE 2ND READING 2/11/05)

Finds that: (1) The goal of the efficiency standards set forth in this act is to save nine million megawatt-hours of electricity, thirteen million therms of natural gas, and two billion gallons of water in the year 2020, fourteen years after the standards have become effective, with a total net present value to buyers of four hundred ninety million dollars in 2020.

- (2) Efficiency standards for certain products sold or installed in the state assure consumers and businesses that such products meet minimum efficiency performance levels thus saving money on utility bills.
- (3) Efficiency standards save energy and reduce pollution including global warming emissions and other environmental impacts associated with the production, distribution, and use of electricity and natural gas.
- (4) Efficiency standards contribute to the economy of Washington by helping to better balance energy supply and demand, thus reducing pressure for higher natural gas and electricity prices. By saving consumers and businesses money on energy bills, efficiency standards help the state and local economy, since energy bill savings can be spent on local goods and services.
- (5) Efficiency standards can make electricity systems more reliable by reducing the strain on the electricity grid during peak demand periods. Furthermore, improved energy efficiency can reduce or delay the need for new power plants, power transmission lines, and power distribution system upgrades.

Requires that, in January 2010, and every four years thereafter, the department shall report to the legislature with an updated list of specifications and cost-effective minimum energy efficiency standards of the products listed in this act and of additional nonfederally covered products that are cost-effective to consumers, are commercially available from multiple manufacturers, achieve electric and/or gas

savings, and exist as a standard in at least one other state in the United States.

-- 2005 REGULAR SESSION --

- Feb 3 TEC Majority; 1st substitute bill be substituted, do pass.
- Feb 7 Passed to Rules Committee for second reading.
- Feb 8 Placed on second reading.
- Feb 11 1st substitute bill substituted.

Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 80; nays, 18; absent, 0.

- IN THE SENATE -

Feb 15 First reading, referred to Water, Energy & Environment.

HB 1115-S by House Committee on Education (originally sponsored by Representatives Tom, Fromhold, Hunter, Jarrett and Talcott)

Providing for school directors' associations. Revised for 1st Substitute: Providing for membership in school directors' associations to be voluntary.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, until December 31, 2005, the membership of the school directors' association shall comprise the members of the boards of directors of the school districts of the state. School boards of directors that intend to resign from the association under this act must provide the association with at least five months' prior written notice of that intent.

Provides that, beginning on January 1, 2006, membership in the school directors' association shall be voluntary for school district boards of directors.

-- 2005 REGULAR SESSION --

Feb 14 ED - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

HB 1174-S by House Committee on Higher Education (originally sponsored by Representatives McCoy, Campbell, Morrell, Chase, Condotta, Hunt, Appleton, Hudgins, Armstrong, Hinkle, Conway, Lantz, Ormsby, Haigh and Upthegrove)

Changing veterans' tuition waiver provisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises veterans' tuition waiver provisions.

Provides that, subject to the limitations in RCW 28B.15.910, the governing boards of the state universities, the regional universities, The Evergreen State College, and the community colleges, may waive all or a portion of tuition and fees for the following persons: (1) An eligible veteran or national guard member;

(2) A child and the spouse of an eligible veteran or national guard member who became totally disabled as defined in RCW 28B.15.385 while engaged in active federal military or naval service, or who is determined by the

federal government to be a prisoner of war or missing in action;

(3) A child and the surviving spouse of an eligible veteran or national guard member who lost his or her life while engaged in active federal military or naval service. However, upon remarriage, the surviving spouse of an eligible veteran or national guard member is ineligible for a waiver under this act.

Declares that, as used in this act "eligible veteran or national guard member" means a Washington domiciliary who was an active or reserve member of the United States military or naval forces, or a national guard member called to active duty, who served in active federal service in a war or conflict fought on foreign soil or in international waters or in another location in support of those serving on foreign soil or in international waters, and if discharged from service, has received an honorable discharge.

Repeals RCW 28B.10.265, 28B.15.620, 28B.15.625, 28B.15.628, and 28B.15.629.

-- 2005 REGULAR SESSION --

Feb 11 HE - Majority; 1st substitute bill be substituted, do pass.

Feb 16 Passed to Rules Committee for second reading.

HB 1282-S by House Committee on Health Care (originally sponsored by Representatives Schual-Berke, Tom, Cody, Jarrett, Fromhold, Hankins, Appleton, Haler, Murray, Nixon, Dickerson, Kagi, Hasegawa, Roberts, Springer, DeBolt, Lantz, Chase, Hunter, Upthegrove, Darneille, Moeller, Morrell, Hunt, Simpson, Williams, Green, Wood, Kenney, Wallace, Linville, Ormsby, Kilmer, Haigh, Santos, McIntire and Walsh)

Regarding sexual health education.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the state has a duty to ensure that young people are equipped with the comprehensive, medically accurate, age-appropriate information that they need to protect themselves from unintended pregnancy and sexually transmitted diseases, including HIV infection. The best approach to protecting youth in this environment is to support the resources that they trust and to ensure that young people have as much accurate, objective information about sexual health as possible.

Provides that, by September 1, 2006, every school district that offers sexual health education must assure that sexual health education is consistent with the January 2005 guidelines for sexual health information and disease prevention of the department of health and the office of the superintendent of public instruction. Every school district that offers sexual health education must emphasize abstinence, as required by RCW 70.24.210, except that abstinence may not be taught to the exclusion of other methods of preventing teenage pregnancy and sexually transmitted diseases, including HIV infection.

-- 2005 REGULAR SESSION --

Feb 11 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 16 Passed to Rules Committee for second reading.

HB 1290-S by House Committee on Health Care (originally sponsored by Representatives Cody, Bailey, Schual-Berke, Campbell, Morrell, Hinkle, Green, Appleton, Moeller, Haigh, Linville, Kenney, Wood and Santos)

Modifying community mental health services provisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises community mental health services provisions. Appropriates the sum of dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2006, from the general fund to the department of social and health services for the purposes of this act.

Appropriates the sum of dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the general fund to the department of social and health services for the purposes of this act.

Creates a joint legislative and executive task force on mental health services delivery and financing.

Requires the joint task force to report its initial findings and recommendations to the governor and appropriate committees of the legislature by January 1, 2006, and its final findings and recommendations by June 30, 2007.

Requires the department of social and health services to enter into an annual contract with regional support networks for the fiscal year ending June 30, 2006. The department shall issue a request for proposal to establish new regional support networks under RCW 71.24.035 to be effective July 1, 2006.

Expires June 30, 2007.

-- 2005 REGULAR SESSION --

Feb 11 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 16 Referred to Appropriations.

HB 1291-S by House Committee on Health Care (originally sponsored by Representatives Cody, Bailey, Morrell, Hinkle, Green, Moeller, Kessler, Haigh, Linville, Kagi, Santos and Ormsby)

Improving patient safety practices.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that implementation of proven patient safety strategies can reduce medical errors, and thereby potentially reduce the need for disciplinary actions against licensed health care professionals and facilities, and the frequency and severity of medical malpractice claims.

Declares that health care providers, health care facilities, and health carriers can and should be supported in their efforts to improve patient safety and reduce medical errors by encouraging health care facilities and providers to communicate openly with patients regarding medical errors that have occurred and steps that can be taken to prevent errors from occurring in the future, encouraging health care facilities and providers to work cooperatively in their patient safety efforts, and increasing funding available to implement proven patient safety strategies.

Declares an intent to positively influence the safety and quality of care provided in Washington state's health care system.

Requires the secretary to increase the licensing fee established under RCW 43.70.110 by two dollars for the

health care professionals designated in this act and by two dollars per licensed bed for the health care facilities designated in this act.

Requires proceeds of the patient safety fee to be deposited into the patient safety account in this act and dedicated to patient safety and medical error reduction efforts that have been proven to improve, or have a substantial likelihood of improving the quality of care provided by health care professionals and facilities.

Provides that one percent of any attorney contingency fee as contracted with a prevailing plaintiff in any action for damages based upon injuries resulting from health care shall be deducted from the contingency fee as a patient safety set aside.

Requires a patient safety set aside to be transmitted to the secretary of the department of health by the person or entity paying the claim, settlement, or verdict for deposit into the patient safety account established in this act.

Provides that patient safety fee and set aside proceeds shall be administered by the department, after seeking input from health care providers engaged in direct patient care activities, health care facilities, health care provider organizations, and other interested parties.

Provides that, by December 1, 2008, the department shall report the following information to the governor and the health policy and fiscal committees of the legislature: (1) The amount of patient safety fees and set asides deposited to date in the patient safety account;

(2) The criteria for distribution of grants, loans, or other

appropriate arrangements under this act; and

(3) A description of the medical error reduction and patient safety grants and loans distributed to date, including the stated performance measures, activities, timelines, and detailed information regarding outcomes for each project.

-- 2005 REGULAR SESSION --

Feb 11 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 16 Referred to Appropriations.

HB 2051 by Representatives Dunn, Quall and Campbell

Requiring that part-time community college faculty be paid on the same scale as full-time faculty.

Provides that: (1) Each community and technical college shall have only one salary schedule for all faculty.

(2) Each community and technical college shall have only one increment or step increase schedule for all faculty.

(3) Upon hiring, faculty must be placed on the appropriate step in the salary schedule, based upon degree, experience, and other pertinent factors.

Provides that, upon hiring, part-time faculty must be placed on the appropriate step in the salary schedule, based upon degree, experience, and other pertinent factors, comparable to full-time faculty with comparable qualifications and experience.

Requires part-time faculty to be paid on a pro rata basis, based upon the percentage of a full-time faculty teaching load.

Requires each community and technical college to implement this act by July 1, 2006.

Declares an intent to provide the necessary funds to the community and technical colleges for the implementation of this act.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Higher Education.

HB 2052 by Representatives Blake, Kilmer, Linville, McCoy and P. Sullivan

Establishing an industry cluster-based approach to economic development.

Finds that the use of industrial clusters as a descriptive tool can provide a clear understanding of the relationships between firms that drive the local economy. An industry cluster is a group of complementary, competing, and interdependent firms that represent the entire value chain of a broadly defined industry from suppliers to end products, including supporting services and specialized infrastructure.

Finds that: (1) Cluster-based economic analysis is a tool for understanding industry dynamics;

(2) The purpose of cluster analysis is to identify those areas of the economy in which a region has or might develop a comparative advantage and to develop short and long-term strategies for growing the regional economy; and

(3) Using cluster analysis in the development of economic development strategies highlights opportunities for coordination and improvement in areas of mutual concern to firms without threatening or distorting competition

Declares an intent that the department of community, trade, and economic development use a cluster-based economic analysis in the development and delivery of economic development services in the state.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Economic Development, Agriculture & Trade.

HB 2053 by Representatives Hankins and Murray

Clarifying intermediate drivers' license law.

Amends RCW 46.20.075 relating to intermediate drivers' licenses.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Transportation.

HB 2054 by Representative McDermott

Protecting salmon and steelhead spawning beds.

Declares that the department shall prohibit activities that harm or disturb spawning beds of salmon and steelhead and other fish on all rivers and streams where spawning activities occur.

Provides that prohibited activities include, but are not limited to, wading on spawning beds, driving motor vehicles on spawning beds, use of high-powered jet or propeller-driven boats across spawning beds, dragging anchors through spawning beds, digging or removing gravel from spawning beds, or any other physical disturbance capable of disturbing spawning fish or damaging or destroying nests of incubating eggs. The department shall determine the time periods these rules are in effect.

Requires the department to work cooperatively with the tribal comanagers for all fish resources in implementing and enforcing the requirements of this act.

Declares that a violation of this act is a natural resource infraction under chapter 7.84 RCW.

Directs the department to report to the legislature concerning the effectiveness of this act after at least two spawning cycles of salmon and steelhead have occurred.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Natural Resources, Ecology & Parks.

HB 2055 by Representative Conway

Requiring the payment of industrial insurance premiums for certain construction work.

Declares that notwithstanding any other provision of Title 51 RCW, construction work performed by any natural person under contract is employment included within the mandatory coverage of this title, and the person performing the construction work shall be deemed to be a worker while performing this work.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Commerce & Labor.

HB 2056 by Representatives Conway and Wood

Regulating recreational vehicle shows.

Provides that, before the department may issue a temporary subagency license to a dealer engaged in offering new or new and used recreational vehicles for sale at a recreational vehicle show, a dealer of new recreational vehicles shall submit to the department a manufacturer's written authorization for the sale and specifying the dates of the show, the location of the show, and the identity of the manufacturer's brand or model names of the new recreational vehicles.

Provides that the department may issue a temporary subagency license only if the location of the show is within fifty miles of the dealer's established place of business or permanent location, or is within the factory designated sales territory for each brand of new recreational vehicle to be offered for sale, and only those specific brands of new recreational vehicles may be offered for sale under the terms of the temporary subagency license.

Finds that the practices covered by this act are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. Violations of this act are not reasonable in relation to the development and preservation of business. A violation of this act is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Commerce & Labor.

HB 2057 by Representatives Kenney, Upthegrove, Cox and Sommers

Changing waiver authority limits for regional universities and The Evergreen State College.

Amends RCW 28B.15.910 relating to tuition waiver authority for regional universities and The Evergreen State College.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Higher Education.

HB 2058 by Representatives Quall, Talcott, P. Sullivan, Anderson, Appleton, O'Brien and

Lovick

Regarding notice requirements for school employees convicted of sexual offenses.

Amends RCW 43.43.845 relating to school employees convicted of or pleading guilty to sex crimes.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Education.

HB 2059 by Representatives Springer, P. Sullivan, B. Sullivan and Wallace

Addressing the preservation of claim rights in construction disputes.

Declares that any clause in a construction contract, as defined in RCW 4.24.370, that purports to waive, release, or extinguish the claim rights of a contractor, subcontractor, or supplier to damages or an equitable adjustment based on failure to submit claim notice or claim-related documentation in a specified time frame or form is enforceable to the extent that the party failing to receive such notice or documentation was prejudiced thereby.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Judiciary.

HB 2060 by Representatives Cody, Schual-Berke, Appleton, Morrell, Moeller, Green and

Clibborn

Expanding participation in state purchased health care programs.

Expands participation in state purchased health care programs.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Health Care.

HB 2061 by Representatives Darneille, Moeller and Dickerson

Requiring disposition to be held in juvenile court in certain circumstances when a case is automatically transferred to adult court.

Requires disposition to be held in juvenile court in certain circumstances when a case is automatically transferred to adult court.

Provides that if the juvenile is found not guilty in the adult criminal court of the charge for which he or she was transferred, or is convicted in the adult criminal court of a lesser included offense, the juvenile court shall have exclusive jurisdiction over the disposition of the case. The juvenile court shall enter an order extending juvenile court jurisdiction if the juvenile has turned eighteen years of age during the adult criminal court proceedings pursuant to RCW 13.40.300.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Juvenile Justice & Family Law.

HB 2062 by Representatives Darneille, Nixon, Simpson, Hunt, Upthegrove, Green, Chase, Dickerson, Moeller, Flannigan and Pettigrew

Tracking the voter registration of former felons.

Declares an intent to establish a clear standard for the restoration of the voting rights of former felons and to institute a data system in the office of the secretary of state that will provide information about the restoration of former felon voting rights that will be available to local election officials.

Provides that, when a former felon's voting rights have been restored in accordance with this act, the department of corrections shall immediately transmit this information to the secretary of state along with information about the county where the conviction occurred and the county that is the last known residence of the former felon. The secretary of state shall maintain such records as a part of the elections data base and shall transmit information about the restoration of the former felon's voting rights to the county auditor where the conviction took place and, if different, the county where the felon was last known to reside.

Provides that the civil right to vote is restored to persons convicted of a felony upon completion of all the requirements of all of their sentences, except for legal financial obligations as defined in RCW 9.94A.030.

Does not impair or alter an offender's ability to obtain a certificate of discharge if eligible under RCW 9.94A.637.

Does not affect or prevent the enforcement of legal financial obligations or the offender's obligation to comply with an order issued under chapter 10.99 RCW or any other legal authority that excludes or prohibits the offender from having contact with a specified person, or coming within a set distance of any specified location, that was contained in the judgment and sentence.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to State Government Operations & Accountability.

HB 2063 by Representatives Wallace, Dunn, Santos, Blake and McCune

Modifying local government use of real estate excise tax revenue.

Revises provisions pertaining to local government use of real estate excise tax revenue.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Local Government.

HB 2064 by Representatives Roberts, McDonald, Darneille, Moeller, Ericks, Lantz and McCune

Clarifying provisions relating to automatic transfer of jurisdiction from juvenile court.

Amends RCW 13.04.030 relating to the date of the offense for the purposes of automatic transfer of jurisdiction.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Juvenile Justice & Family Law.

HB 2065 by Representatives Williams and DeBolt

Providing a mechanism to withdraw a county from an intercounty rural library district.

Establishes a mechanism to withdraw a county from an intercounty rural library district.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Local Government.

hb 2066 by Representatives Williams, Newhouse, Linville, Lantz and Hunt

Studying methods for water rights dispute resolution.

Requires the department of ecology and the administrative office of the courts to assess the need and demand for adjudications within the state. The department of ecology and the administrative office of the courts shall identify basins that are candidates for adjudications, recommend a priority for basin adjudications, and determine the scope of financial and human resources and court systems necessary to complete the recommended adjudications.

Requires the department of ecology and the administrative office of the courts to submit a joint report on this assessment to the joint task force created under this act by October 1, 2005.

Creates the joint task force on water rights dispute resolution.

Requires the joint task force to commence by July 1, 2005, and present a final report to the appropriate committees of the legislature by December 1, 2005. The joint task force shall include the report submitted by the department of ecology and the administrative office of the courts under this act in the final report.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Judiciary.

HB 2067 by Representatives Hasegawa, Haler, Roberts, Ormsby, Green, Sells and Moeller

Establishing a legislative/executive task force on health care access, delivery, and financing.

Finds that: (1) Access to necessary and effective health services is an essential need of all human beings, yet almost six hundred thousand people in the state of Washington lack health insurance coverage. Lack of access to health coverage results in increased rates of preventable disease, premature death, and increased cost of publicly funded medical care;

- (2) The primary method used to pay for necessary care in Washington state is health insurance, whether financed by private or public funds;
- (3) The cost of health insurance is rising substantially faster than the rate of inflation. These costs are making it increasingly difficult for employers to find and provide decent health benefits to their employees, and have a significant impact on the viability of businesses in Washington state. Moreover, increasing health care costs limit employers' ability to provide wage increases to their employees, negatively impacting workers' standard of living.

Increasing costs also result in hardship to employees and their families, particularly low-wage workers, who are being forced to bear an increasing portion of this cost burden. State and local governments also are straining under the pressure of rising health care costs;

(4) Despite increases in overall health care spending, health care providers are faced with insufficient compensation from publicly funded programs and the growing complexity of administrative requirements, from both public and private purchasers; and

(5) The state of Washington has a strong interest in ensuring that all of its residents have access to health coverage, improving the health status of its residents, and

containing rising health care costs.

Directs the joint task force to report its findings and recommendations to the governor and appropriate committees of the legislature by November 15, 2006.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Health Care.

HB 2068 by Representatives Hasegawa and Buri

Creating an opportunity for children to testify in dissolution proceedings.

Provides that, if the child wishes to testify regarding his or her preferences as to his or her residential schedule, the court shall allow the child to testify unless the judge has good cause to believe that it would not be in the best interests of the family to allow the child to do so.

-- 2005 REGULAR SESSION --

First reading, referred to Juvenile Justice & Feb 16 Family Law.

HB 2069 by Representatives Morrell, Hankins, Cody and Sells; by request of Governor Gregoire

Expanding access to insurance coverage through the small business assist program.

Finds that many small employers struggle with the cost of providing employer-sponsored health insurance coverage to their employees and their employees' families, while others are unable to offer employer-sponsored health insurance due to its high cost. Low-wage workers also struggle with the burden of paying their share of the costs of employer-sponsored health insurance, while others turn down their employer's offer of coverage due to its costs.

Finds that limitations on access to health care services for enrollees in the state, such as in rural and underserved areas, are particularly challenging.

Declares an intent to authorize the administrator to develop alternative purchasing strategies to ensure access to enrollees of the programs administered under this chapter in all areas of the state, including but not limited to: (1) The use of differential rating for managed health care systems based on geographic differences in costs; and

(2) Self-insurance in areas where adequate access cannot be ensured through other options.

Creates the small business assist program under the Washington state health care authority.

Declares an intent that the small business assist program offer affordable health care coverage to small employers, their employees, and dependents if the employer has not provided health care coverage for at least six months as of the time of application. Prior employer-sponsored coverage as a subsidized enrollee in the basic health plan shall not be considered employer group coverage.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Health Care.

HB 2070 by Representatives Cody, Condotta and Wood

Authorizing horse racing handicapping contests.

Declares that a handicapping contest authorized by the commission involving the outcome of multiple horse races and conducted by a licensed class 1 racing association for patrons at a live race meet is not subject to the provisions of chapter 67.16 RCW or to any commission rules.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Commerce &

HB 2071 by Representatives Cody and P. Sullivan

Affording certain information held by the horse racing commission the same protection from public inspection as other regulated entities.

Affords certain information held by the horse racing commission the same protection from public inspection as other regulated entities.

-- 2005 REGULAR SESSION --

First reading, referred to State Government Feb 16 Operations & Accountability.

HB 2072 by Representatives Simpson, Appleton, Woods, Cody and P. Sullivan

Exempting transport of persons at horse races from licensing.

Exempts "trams" used for transporting persons to and from facilities related to the horse racing industry as regulated in chapter 67.16 RCW, as long as the public rightof-way routes over which the trams operate are not more than one mile from end to end, and the public rights-of-way over which the tram operates have an average daily traffic of not more than 15,000 vehicles per day. For the purposes of this act, "tram" also means a vehicle, or combination of vehicles linked together with a single mode of propulsion, used to transport persons from one location to another.

Exempts an operator who is transporting persons to and from facilities related to the horse racing industry as regulated in chapter 67.16 RCW, as long as the routes over which this action takes place are not more than one mile from end to end, and the public rights-of-way on which the activity occurs have an average daily traffic of not more than 15,000 vehicles per day.

-- 2005 REGULAR SESSION --

First reading, referred to Transportation. Feb 16

HB 2073 by Representative Dickerson

Revising juvenile sentencing alternatives.

Declares that an offender is ineligible for the mental health disposition option under RCW 13.40.167 if the offender is: (1) Adjudicated of an A+ offense;

(2) Fourteen years of age or older and is adjudicated of one or more of the following offenses: (a) A class A offense, or an attempt, conspiracy, or solicitation to commit a class A offense; (b) manslaughter in the first degree (RCW 9A.32.060); or (c) any of the following offenses, when the offense includes infliction of bodily harm upon another or when during the commission or immediate withdrawal from the offense the respondent was armed with a deadly weapon: Assault in the second degree (RCW 9A.36.021), extortion in the first degree (RCW 9A.56.120), kidnapping in the second degree (RCW 9A.56.210), robbery in the second degree (RCW 9A.56.210), residential burglary (RCW 9A.52.025), burglary in the second degree (RCW 9A.52.030), drive-by shooting (RCW 9A.36.045), vehicular homicide (RCW 46.61.520), hit and run death (RCW 46.52.020(4)(a)), intimidating a witness (RCW 9A.72.110), violation of the uniform controlled substances act (RCW 69.50.401(2) (a) and (b)), or manslaughter 2 (RCW 9A.32.070);

- (3) Ordered to serve a disposition for a firearm violation under RCW 13.40.193; or
- (4) Adjudicated of a sex offense as defined in RCW 9.94A.030.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Juvenile Justice & Family Law.

HB 2074 by Representatives Nixon and Shabro

Creating Cascade county.
Creates Cascade county.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Local Government.

HB 2075 by Representatives Tom and McDermott

Modifying cigarette taxation.

Declares that there is hereby levied and there shall be collected as provided by chapter 82.24 RCW, an additional tax upon the sale, use, consumption, handling, possession, or distribution of cigarettes in an amount equal to the rate of fifty-three and seventy-five one-hundredths mills per cigarette.

Provides that the money collected under this act during any month shall be deposited by the twenty-fifth day of the following month as follows: (1) 83.26 percent into the health services account created in RCW 43.72.900; and

(2) The remainder into the youth tobacco prevention account created in RCW 70.155.120.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Finance.

HB 2076 by Representative Dunshee

Settling certificated educational employees' collective bargaining disputes.

Recognizes that the uninterrupted and dedicated service of educational employees is vital to the welfare and public safety and health of this state, and that to promote such dedicated and uninterrupted public service there should exist an effective and adequate means of settling collective bargaining disputes.

Provides that, during the pendency of the proceedings before the arbitration panel created under this act, existing wages, hours, and other conditions of employment shall not be changed by action of either party without the consent of the other but a party may so consent without prejudice to its rights or position under this act.

Provides that if the representative of either or both the exclusive bargaining representative and the employer refuse to submit to the procedures set forth in this act, the parties, or the commission on its own motion, may invoke the jurisdiction of the superior court for the county in which the labor dispute exists and the court has jurisdiction to issue an appropriate order. A failure to obey such an order may be punished by the court as a contempt of court under chapter 7.21 RCW.

Declares that the right of educational employees to engage in any strike, work slowdown, or work stoppage is prohibited. The right of a school district to engage in a lockout is prohibited.

Declares that an organization recognized as the exclusive bargaining representative of employees subject to this chapter that willfully disobeys a lawful order of enforcement by a superior court pursuant to this act or that willfully offers resistance to such an order, whether by strike or otherwise, is in contempt of court as provided in chapter 7.21 RCW. An employer that willfully disobeys a lawful order of enforcement by a superior court under this act or willfully offers resistance to such an order is in contempt of court as provided in chapter 7.21 RCW.

Repeals RCW 41.59.120.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Commerce & Labor.

HB 2077 by Representative Simpson

Allowing for the adoption of example critical areas policies or regulations.

Provides that, in fulfilling some or all of the requirements of RCW 36.70A.172 and 36.70A.060, a city or county may adopt example critical areas policies or regulations prepared by the department of community, trade, and economic development, the department of fish and wildlife, or the department of ecology, or their successor state agencies, that comply with the requirements of this act.

Requires the example policies or regulations to comply with this act and RCW 36.70A.020 (8) through (11) and 36.70A.060.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Local Government.

HB 2078 by Representative Simpson

Authorizing deferrals of required comprehensive plan and development regulation updates.

Authorizes deferrals of required comprehensive plan and development regulation updates.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Local Government.

HB 2079 by Representative Simpson

Establishing compliance tiers for review and revision requirements mandated by RCW 36.70A.130.

Establishes compliance tiers for review and revision requirements mandated by RCW 36.70A.130.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Local Government.

HB 2080 by Representatives Dunn, Pettigrew, Chase and Holmquist

Creating associate faculty positions for part-time faculty at community and technical colleges.

Establishes associate faculty positions for part-time faculty at community and technical colleges.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Higher Education.

House Joint Memorials

HJM 4018 by Representatives Sells, Kenney, Dunshee, Haler, Ormsby, Nixon, Linville, Fromhold, Hinkle, Roberts, Flannigan, McCoy, Holmquist, Appleton, Dunn, Morrell, Ericks, Green, Hasegawa and Williams

Requesting electricity rates to not be increased.

Requests electricity rates to not be increased.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Technology, Energy & Communications.

Senate Bills

SB 5081-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Roach, Swecker, Oke, Deccio, Zarelli, Mulliken, Honeyford, Schmidt, Stevens, Benson, McCaslin and Benton)

Authorizing monitoring of a child's telephone conversations by a parent or guardian.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes monitoring of a child's telephone conversations by a parent or guardian unless that parent or guardian is acting at the insistence of agents of law enforcement.

-- 2005 REGULAR SESSION --

Feb 15 HSC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5237-S by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Keiser, Kohl-Welles, Parlette,

Honeyford, Prentice and Shin; by request of Department of Labor & Industries)

Requiring mandatory electronic data reporting under Title 51 RCW for workers' compensation self-insurers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the department to establish an electronic reporting system for the submission of specified self-insurance claim data to more effectively monitor the performance of self-insurers and to obtain claims information in an efficient manner.

Provides that claim data reported electronically by individual self-insurers is confidential in accordance with RCW 51.16.070 and 51.28.070. The department may publish, for statistical purposes, aggregated claims data that contain no personal identifiers.

-- 2005 REGULAR SESSION --

Feb 15 LCRD - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second

reading.

SB 5256-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove and Stevens)

Revising provisions relating to the use of risk assessments in the supervision of offenders who committed misdemeanors and gross misdemeanors.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions relating to the use of risk assessments in the supervision of offenders who committed misdemeanors and gross misdemeanors.

-- 2005 REGULAR SESSION --

Feb 15 HSC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5257-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Stevens and Delvin)

Revising provisions relating to mental health treatment for minors.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that, despite explicit statements in statute that the consent of a minor child is not required for a parent-initiated admission to inpatient or outpatient mental health treatment, treatment providers consistently refuse to accept a minor aged thirteen or over if the minor does not also consent to treatment.

Declares an intent that the parent-initiated treatment provisions, with their accompanying due process provisions for the minor, be made fully available to parents.

Provides that a minor child shall have no cause of action against an evaluation and treatment facility or provider of outpatient mental health treatment for admitting or accepting the minor in good faith for evaluation or treatment under RCW 71.34.052 or 71.34.054 (as recodified

by this act) based solely upon the minor's lack of consent if the minor's parent has consented to the evaluation or treatment.

-- 2005 REGULAR SESSION --

Feb 15 HSC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5282-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Kline, Hargrove, Mulliken, Fairley and Thibaudeau)

Clarifying earned release provisions that apply to city and county jails.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 9.92.151 and 70.48.210 relating to a clarification of the earned release time provisions for offenders held in city or county jails.

Declares that the changes to the maximum percentages of earned release time in RCW 9.92.151 and 70.48.210 do not create any expectation that the percentage of earned release time cannot be revised and offenders have no reason to conclude that the maximum percentage of earned release time is an entitlement or creates any liberty interest. The legislature retains full control over the right to revise the maximum percentages of earned release time available to offenders at any time. This provision applies to persons convicted on or after the effective date of this act.

-- 2005 REGULAR SESSION --

Feb 15 HSC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second

Passed to Rules Committee for second reading.

SB 5309-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles, Benton and Kline)

Revising the definition of "abuse of a supervisory position." Revised for 1st Substitute: Defining sexual misconduct with a minor.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that "abuse of a supervisory position" means: (1) To use a direct or indirect threat or promise to exercise authority to the detriment or benefit of a minor; or

(2) To exploit a significant relationship in order to obtain the consent of a minor.

Provides that a person is guilty of sexual misconduct with a minor in the first degree when the person is a foster parent who has, or knowingly causes another person under the age of eighteen to have, sexual intercourse with his or her foster child who is at least sixteen.

-- 2005 REGULAR SESSION --

Feb 15 HSC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5406-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Franklin, Parlette and Keiser)

Modifying medicare supplemental insurance policy provisions to conform to federal law.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises medicare supplemental insurance policy provisions to conform to federal law.

-- 2005 REGULAR SESSION --

Feb 14 HEA - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second

reading.

SB 5631-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Regala, Hargrove, Stevens, Brandland, Kline, McAuliffe, Franklin, Prentice, Esser, Delvin and Kohl-Welles)

Changing provisions relating to inmate work programs.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions relating to inmate work programs.

-- 2005 REGULAR SESSION --

Feb 15 HSC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5941 by Senators Thibaudeau, Kohl-Welles, Fairley, Regala and Kline

Phasing out the use of coal by electric plants.

Provides that, beginning June 1, 2005, every electricity generating plant in the state of Washington using coal shall begin reducing or permanently offsetting its greenhouse gas emissions by twenty-five percent per year.

Provides that, by January 1, 2008, every electricity generating plant in the state of Washington using coal shall permanently offset its greenhouse gas emissions by one hundred percent, or completely phase out the use of coal for electricity.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Water, Energy & Environment.

SB 5942 by Senator Deccio

Authorizing recanvassing of ballots before or after certification of election results.

Provides that in the event that the canvassing board recanvasses the ballots or voting devices after it certifies the results under RCW 29A.60.190 for the primary or general elections, the certified results by the canvassing board shall not be considered final. The canvassing board has up to thirty days after the primary or general election to recertify the results.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Government Operations & Elections.

SB 5943 by Senators Kohl-Welles, McCaslin, Thibaudeau, Franklin, Fraser, Kline and Regala

Concerning medical use of marijuana.

Declares an intent to clarify the law on medical marijuana so the lawful use of this substance is not impaired and medical practitioners are able to exercise their best professional judgment in the delivery of medical treatment without fear of state criminal prosecution. This act is also intended to provide clarification to law enforcement and to all parties in the judicial system.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Health & Long-Term Care.

SB 5944 by Senators Kastama, Kline and Sheldon

Regarding grandparent visitation.

Establishes provisions for grandparent visitation.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Human Services & Corrections.

SB 5945 by Senators Kastama, Swecker, Mulliken, Haugen, Honeyford, McCaslin, Rasmussen, Parlette and Roach

Encouraging agricultural zoning that supports family farm ownership.

Finds that for many counties the adoption of zoning maps and development regulations that identify and protect agricultural resource lands of commercial significance is problematic. Complexities arise from the growth management act and rulings by the growth management hearings boards that do not allow counties to consider other important factors when designating agricultural resource lands of commercial significance.

Declares an intent to give counties flexibility in the establishment of zoning maps and development regulations to assure there is a viable agricultural industry in this state.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Government Operations & Elections.

SB 5946 by Senators Jacobsen and Swecker

Providing a mechanism to withdraw a county from an intercounty rural library district.

Establishes a mechanism to withdraw a county from an intercounty rural library district.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Government Operations & Elections.

SB 5947 by Senator Jacobsen

Increasing the term of nonvoter approved rural library district general obligation bonds.

Increases the maximum term of rural, island, and intercounty rural district general obligation bonds to twenty years.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Government Operations & Elections.

SB 5948 by Senators Pridemore and Zarelli; by request of Department of Revenue

Modifying unclaimed property provisions.

Revises unclaimed property provisions.

Authorizes the department to enter into contracts to provide private investigators licensed under chapter 18.165 RCW with reported information of apparent owners. This information may be provided electronically or in another medium, in the discretion of the department. Any contract shall provide terms and conditions the department determines are necessary to safeguard the interests of owners and to the proper administration of this chapter.

Requires the department to develop a schedule of user fees for information provided under this act for the purpose of distributing and apportioning the full cost of providing the information and the continued development of the program. Fees received by the department under this act shall be deposited according to RCW 63.29.230.

Repeals RCW 63.29.033.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Ways & Means.

SB 5949 by Senators Delvin and Berkey

Regarding the restoration and redevelopment of unfinished nuclear power project sites for the purposes of creating an electrical generating energy park.

Declares an intent to provide the opportunity for the restoration and redevelopment of unfinished nuclear power project sites for purposes of creating an electrical generating energy park with sufficient water for that purpose.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Water, Energy & Environment.

SB 5950 by Senators Hewitt, Honeyford, Schoesler and Rasmussen

Concerning sufficient cause for nonuse of a water right.

Amends RCW 90.14.140 relating to sufficient cause for nonuse of water.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Water, Energy & Environment.

SB 5951 by Senators Rasmussen, Hewitt and Kohl-Welles

Affording certain information held by the horse racing commission the same protection from public inspection as other regulated entities.

Affords certain information held by the horse racing commission the same protection from public inspection as other regulated entities.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Labor, Commerce, Research & Development.

SB 5952 by Senators Jacobsen, Hewitt, Rasmussen and Kohl-Welles

Exempting transport of persons at horse races from licensing.

Exempts "trams" used for transporting persons to and from facilities related to the horse racing industry as regulated in chapter 67.16 RCW, as long as the public right-of-way routes over which the trams operate are not more than one mile from end to end, and the public rights-of-way over which the tram operates have an average daily traffic of not more than 15,000 vehicles per day. For the purposes of this act, "tram" also means a vehicle, or combination of vehicles linked together with a single mode of propulsion, used to transport persons from one location to another.

Exempts an operator who is transporting persons to and from facilities related to the horse racing industry as regulated in chapter 67.16 RCW, as long as the routes over which this action takes place are not more than one mile from end to end, and the public rights-of-way on which the activity occurs have an average daily traffic of not more than 15,000 vehicles per day.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Labor, Commerce, Research & Development.

SB 5953 by Senators Jacobsen, Deccio, Keiser, Rasmussen and Kohl-Welles

Authorizing horse racing handicapping contests.

Declares that a handicapping contest authorized by the commission involving the outcome of multiple horse races and conducted by a licensed class 1 racing association for patrons at a live race meet is not subject to the provisions of chapter 67.16 RCW or to any commission rules.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Labor, Commerce, Research & Development.

SB 5954 by Senators Kastama and Berkey

Allowing for the adoption of example critical areas policies or regulations.

Provides that, in fulfilling some or all of the requirements of RCW 36.70A.172 and 36.70A.060, a city or county may adopt example critical areas policies or regulations prepared by the department of community, trade, and economic development, the department of fish and wildlife, or the department of ecology, or their successor state agencies, that comply with the requirements of this act.

Requires the example policies or regulations to comply with this act and RCW 36.70A.020 (8) through (11) and 36.70A.060.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Government Operations & Elections.

SB 5955 by Senators Honeyford, Zarelli, Morton, Mulliken and Schoesler

Concerning the conveyance of certain state property.

Requires legislative approval for disposal, conveyance, or transfer of property to instrumentalities of the United States for less than full market value.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Natural Resources, Ocean & Recreation.

SB 5956 by Senator Kastama

Revising penalties for homicide by abuse.

Declares that a person is guilty of homicide by abuse in the second degree when he or she assaults or physically abuses a child under the age of seven years, and recklessly causes the death of a child under the age of seven years.

Declares that homicide by abuse in the second degree is a class A felony.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Judiciary.

SB 5957 by Senators Fairley, Benton and Brown

Changing the terms for the escrow accounts required of self-funded multiple employer welfare arrangements.

Changes the beginning date for the escrow accounts required of self-funded multiple employer welfare arrangements to April 1, 2006.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Financial Institutions, Housing & Consumer Protection.

SB 5958 by Senators Jacobsen, Poulsen, Thibaudeau, Kohl-Welles and Kline

Temporarily authorizing increased maximum school levy rates for financial emergencies.

Authorizes temporary increased maximum school levy rates for financial emergencies.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Early Learning, K-12 & Higher Education.

SB 5959 by Senator Jacobsen

Concerning the use of state-owned aquatic lands by a governmental entity.

Amends RCW 79.90.460 to provide that a use by a governmental entity for a public benefit, including, but not limited to public parks, uses for public recreation purposes,

water-related public safety uses, and governmentally owned public utility lines, shall have top priority.

Provides that use of state-owned aquatic lands shall be granted without charge when the primary use is for water-related public safety operations, including, but not limited to fire boats and harbor patrols.

Provides that use of state-owned aquatic lands shall be granted without charge if the primary use is for a public park or public recreation purposes and the state-owned aquatic lands and improvements are available to the general public on a first-come, first-served basis and are not managed to produce a profit for the governmental operator. The use shall be granted without charge whether or not a concessionaire, lessee, or contractor to the governmental operator makes a profit, and whether or not the public is charged a fee.

Authorizes the department to lease state-owned tidelands that are in front of state parks only with the approval of the state parks and recreation commission. The department may lease bedlands in front of state parks only after the department has consulted with the state parks and recreation commission.

Provides that when a use is granted under this act to a governmental entity, the department shall not place conditions on the use that address the same subjects as a permit or other authorization issued by a state agency, including, but not limited to, permits for hydraulic projects, discharge permits, and authorizations for sediment caps. The governmental entity that is granted use of state-owned aquatic lands is not required to indemnify the department except for damages resulting from the governmental entity's own fault.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Natural Resources, Ocean & Recreation.

SB 5960 by Senator Rasmussen

Modifying the nutrient management plan sales and use tax exemption.

Revises the nutrient management plan sales and use tax exemption.

Takes effect September 1, 2005, if the livestock nutrient management act in SB 5602 (2005) or HB 1615 (2005) has taken effect by September 1, 2005.

Declares that this act is null and void if the livestock nutrient management act in SB 5602 (2005) or HB 1615 (2005) has not taken effect by September 1, 2005.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Agriculture & Rural Economic Development.

SB 5961 by Senators Rasmussen and Shin

Requiring proper management of livestock mortalities.

Finds that federal rule, 40 C.F.R. Sec. 122.42, requires concentrated animal feeding operations have as a part of their nutrient management plans a component that ensures proper management of mortalities and that these plans be developed and implemented by December 31, 2006. If this deadline is not met, the operations may be subject to fines for failure to comply with this requirement.

Finds that currently there is no clear direction in state policy as to what will be considered proper management.

Declares that rules that establish what constitutes proper management need to be developed with sufficient lead time so that the requirements can be incorporated into livestock nutrient management plans and be implemented by the federally established deadline.

Requires the department of agriculture to develop rules to assure the proper management of all nonemergency livestock carcass disposals in the state to fulfill the requirement of 40 C.F.R. Sec. 122.42. The department shall adopt these rules in consultation with the department of ecology, the department of health, and other applicable regulatory entities. The rule adopted under this act shall be the exclusive state requirement to meet 40 C.F.R. Sec. 122.42(1)(ii). The department shall adopt emergency rules to implement this act by August 30, 2005.

Repeals RCW 16.68.020.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Agriculture & Rural Economic Development.

SB 5962 by Senators Haugen, Schoesler, Rasmussen, Morton, Shin and Delvin

Protecting customary agricultural practices against nuisance actions.

Provides that, in any nuisance action brought in which agricultural activity on a farm is alleged to be a nuisance, if the defendant farm prevails, the farm may recover from the plaintiff three times the actual amount of costs and expenses determined by the court to have been reasonably incurred by the farm in connection with the defense of the action, including lost revenue and the replacement value of crops or livestock damaged or unable to be harvested or sold as a result of the complaint, and reasonable and actual attorneys' fees

Authorizes the court to order a complainant who brings an unverified complaint against a farm to pay the investigating agency the full costs of investigating the unverified complaint. As used in this act, "unverified complaint" means a complaint in response to which the investigating agency or trial court determines that the farm is in conformity with all applicable laws and rules.

Requires a seller of real property located within one mile of the property boundary of a farm or farm operation to make available to the buyer the following statement: "This notice is to inform prospective residents that the real property they are about to acquire lies within one mile of the property boundary of a farm. The farm may generate usual and ordinary noise, dust, odors, and other associated conditions, and these practices are protected by the Washington right to farm act."

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Agriculture & Rural Economic Development.

SB 5963 by Senators Rasmussen, Schoesler, Shin and Delvin

Creating a task force to study livestock information security.

Finds that there is a new national emphasis on the

development of mechanisms for tracking the origin of the food supply for food safety and homeland security purposes. Systems are being developed for the registration of livestock premises and identification of livestock for disease traceback and trace-forward purposes for protection of human and livestock health. In addition, there are requirements for increased reporting and for preparation of detailed farm plans for livestock operations for protection of state waters.

Finds that successful implementation of each of these systems will require submission to public agencies of significant information from livestock operations that had previously been deemed to be solely private information.

Finds that while pursuing one set of public policy objectives, care needs to be given to ensure that another set of public policy objectives are not unduly compromised.

Requires that, by December 15, 2005, the task force shall provide an interim report of its recommendations, including draft legislation to implement the recommendations, regarding documents produced to implement the livestock nutrient management program. By December 15, 2006, the task force shall provide a final report of its recommendations, including draft legislation to implement the recommendations, regarding documents produced to implement the livestock disease trace-forward and trace-back system. The reports shall be submitted to the chief clerk of the house of representatives and the secretary of the senate.

Expires June 30, 2007.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Agriculture & Rural Economic Development.

SB 5964 by Senators Honeyford, Brandland, Mulliken, Hewitt and Schoesler

Revising provisions relating to medical care for jail inmates. Requires that when state law enforcement officers initiate the charges for which a person is ordered to serve a sentence in the jail, the state shall reimburse the governing unit for care provided to that person whether pretrial or during the term of the sentence.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Human Services & Corrections.

SB 5965 by Senators Honeyford, Keiser, Schoesler, Parlette, Hewitt and Rockefeller

Authorizing the use of video equipment in nursing homes.

Declares an intent to enable nursing facilities to protect the safety of vulnerable adults and improve the quality of services provided while respecting residents' privacy.

Provides that an administrator of a nursing facility licensed under chapter 18.51 RCW may authorize the use of video equipment to monitor and observe, through the use of video equipment, the perimeter, common areas, recreational areas, walkways, and any other areas frequented by residents, staff, and visitors of the nursing facility.

-- 2005 REGULAR SESSION --

Feb 16 First reading, referred to Health & Long-Term Care.

S	ENATE	HOUSE	
SB 5051 Supp. 3 SB 5052 Supp. 3	SB 5125 Supp. 4 SB 5126 Supp. 4		B 1124 Supp. 6 B 1125 Supp. 6
SB 5053 Supp. 3	SB 5127 Supp. 4	HB 1054 Supp. 3 H	B 1126 Supp. 6
SB 5054 Supp. 3 SB 5055 Supp. 3	SB 5128 Supp. 5 SB 5129 Supp. 5		B 1127 Supp. 6 B 1128 Supp. 6
SB 5056 Supp. 3	SB 5130 Supp. 5	HB 1055-S Supp. 14 H	B 1129 Supp. 6
SB 5056-S Supp. 20 SB 5057 Supp. 3	SB 5131 Supp. 5 SB 5132 Supp. 5	HB 1056 Supp. 3 H HB 1057 Supp. 3 H	B 1130 Supp. 6 B 1131 Supp. 6
SB 5058 Supp. 3	SB 5133 Supp. 5	HB 1058 Supp. 3 H	B 1132 Supp. 6
SB 5059 Supp. 3 SB 5060 Supp. 3	SB 5134 Supp. 5 SB 5135 Supp. 5		B 1132-S Supp. 27 B 1133 Supp. 6
SB 5061 Supp. 3	SB 5136 Supp. 5	HB 1060 Supp. 3 H	B 1133-S Supp. 26
SB 5061-S Supp. 23 SB 5062 Supp. 3	SB 5137 Supp. 5 SB 5138 Supp. 5	HB 1060-S Supp. 11 H HB 1061 Supp. 3 H	B 1134 Supp. 6 B 1135 Supp. 6
SB 5063 Supp. 3	SB 5139 Supp. 5	HB 1062 Supp. 3 H	B 1136 Supp. 6
SB 5063-S Supp. 16 SB 5064 Supp. 3	SB 5139-S Supp. 18 SB 5140 Supp. 5	HB 1062-S Supp. 21 H HB 1063 Supp. 3 H	B 1137 Supp. 6 B 1137-S Supp. 24
SB 5065 Supp. 3	SB 5140-S Supp. 20	HB 1064 Supp. 3 H	B 1138 Supp. 6
SB 5066 Supp. 3 SB 5067 Supp. 3	SB 5141 Supp. 5 SB 5142 Supp. 5		B 1139 Supp. 6 B 1140 Supp. 6
SB 5068 Supp. 3	SB 5143 Supp. 5	HB 1065 Supp. 3 H	B 1141 Supp. 6
SB 5069 Supp. 3 SB 5070 Supp. 3	SB 5144 Supp. 5 SB 5145 Supp. 5	HB 1067 Supp. 3 H	B 1142 Supp. 6 B 1143 Supp. 6
SB 5071 Supp. 3	SB 5146 Supp. 5	HB 1068 Supp. 3 H	B 1144 Supp. 6
SB 5072 Supp. 3 SB 5073 Supp. 3	SB 5146-S Supp. 27 SB 5147 Supp. 5		B 1144-S Supp. 27 B 1145 Supp. 6
SB 5074 Supp. 3	SB 5148 Supp. 5	HB 1071 Supp. 4 H	B 1146 Supp. 6
SB 5075 Supp. 3 SB 5076 Supp. 3	SB 5149 Supp. 5 SB 5150 Supp. 5	HB 1073 Supp. 4 H	B 1147 Supp. 6 B 1148 Supp. 6
SB 5077 Supp. 3	SB 5151 Supp. 6	HB 1074 Supp. 4 H	B 1149 Supp. 6
SB 5078 Supp. 3 SB 5079 Supp. 3	SB 5151-S Supp. 14 SB 5152 Supp. 6		B 1150 Supp. 6 B 1151 Supp. 6
SB 5080 Supp. 3	SB 5153 Supp. 6	HB 1077 Supp. 4 H	B 1151-S Supp. 27
SB 5082 Supp. 3	SB 5154-S Supp. 22	HB 1079 Supp. 4 H	B 1152 Supp. 6 B 1152-S Supp. 20
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